IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 2925 OF 2007

1. Smt.Nandabai Subhash Bidawe,
2. Sou.Sangeeta Sunil Bidawe. ... Applicants.

V/s.

The State of Maharashtra. ... Respondent.

Ranjit Pawar for the applicants.

K.V.Saste, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 29th September 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. A joint application was moved on behalf of Lahanu Subhash Bidawe, Kiran @ Ganesh Subhash Bidawe, Smt.Nandabai Subhash Bidawe, Sou.Sangeeta Sunil Bidawe seeking bail in connection with CR.No.75/2007 registered with Yeola Police Station, district- Nashik for the offences punishable under sections 302, 143, 147, 148, 149, 504, 506 of Indian Penal Code.

3. After hearing this matter for sometime and looking to the role of each applicant in commission of offence alleged, I was not inclined to grant bail to applicant Nos.1 and 2. In that view of the matter, learned counsel for the applicants sought permission to delete names of applicant Nos.1 and 2 and made statement that he is not pressing this application on behalf of applicant Nos.1 and 2 i.e. Lahanu Subhash Bidawe and Kiran @ Ganesh Subhash Bidawe. Accordingly, he was permitted to delete names of applicant Nos.1 and 2 from the array of parties by carrying out amendment forthwith. In the result, the remaining applicants are Smt.Nandabai Subhash Bidawe and Sou.Sangeeta Sunil Bidawe.

4. Learned counsel for the applicants took me through the material available on record and pointed out the role of these two applicants in commission of offence. As a matter of fact, these two lady applicants have also taken part in commission of offence. However, considering they being women, I am inclined to grant bail in their favour on this peculiar consideration only, subject to the following conditions:

(a) The applicants, namely, Smt.Nandabai

Subhash Bidawe and Sou.Sangeeta Sunil Bidawe, arrested in connection with CR.No.75/2007 registered with Yeola Police Station, Nashik shall be enlarged on bail in the sum of Rs.10,000/- each with one surety to make up the said amount.

(b) The applicants shall report to the concerned Police Station as and when called.

(c) The order of bail will be given effect only after the applicants furnishes to the investigating officer the details about their place of residence and address where they propose to stay after they are enlarged on bail. The applicants will not change their residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicants shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) T applicants shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicants shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

5. Application stands disposed of accordingly.

JUDGE